

**REGULAR MEETING OF THE CANTON CITY COUNCIL
6:00 P.M., TUESDAY, NOVEMBER 17, 2015**

Canton Municipal Courtroom
24980 Hwy 64 East, Canton, Texas 75103

MINUTES

The Canton City Council met at the above-named date and time in the City Municipal Courtroom. Members present were Mayor Lou Ann Everett and Councilmembers Shawn Stewart, Cindy Malouf, Connie Odic and Scott Perkins. Councilmember Nathan Moore was absent. Also present were City Manager Lonny Cluck, City Secretary Debra Johnson, Finance Director Kimberly Kroha, Police Chief Brad Allison, Fire Chief Bud Sanford, Building Inspector Dwight Lancaster, CEDC Executive Director Julie Seymore, and City Attorney Ron Stutes.

1. CALL TO ORDER - The meeting was called to order and a quorum was declared by Mayor Lou Ann Everett at 6:00 p.m.
2. INVOCATION was led by Mayor Everett.
3. PLEDGE OF ALLEGIANCE was led by Boy Scout Troop 378.
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST - None
6. PROCLAMATIONS AND ANNOUNCEMENTS - None

CITIZENS FORUM

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK FOR THREE (3) MINUTES ON MATTERS RELATING TO CITY GOVERNMENT THAT ARE NOT LISTED ON THE REGULAR AGENDA

CONSENT AGENDA

8. CONSIDER APPROVAL OF MINUTES OF THE OCTOBER 20, 2015 CITY COUNCIL MEETING
9. CONSIDER APPROVAL OF OCTOBER 2015 FINANCIAL STATEMENTS – Councilmember Malouf made a motion to approve Items 8 and 9 of the Consent Agenda. Councilmember Stewart seconded.

INDIVIDUAL CONSIDERATION

10. CONSIDER REQUEST FROM VAN ZANDT COUNTY HUMANE SOCIETY FOR SOLICITOR'S PERMIT TO COLLECT DONATIONS AT THE DALLAS/BUFFALO INTERSECTION DURING MARCH AND JUNE 2016 TRADE DAYS (FEBRUARY 26-27, 2016 AND MAY 27-28, 2016) – Councilmember Odic made a motion to approve the

request to allow solicitation by the Van Zandt County Humane Society for the March and June 2016 Trade Days. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Approve
Council Member - Nathan Moore: Absent

11. CONSIDER ORDINANCE NO. 2015-25 AUTHORIZING THE ISSUANCE OF PUBLIC PROPERTY FINANCE CONTRACTUAL OBLIGATIONS FOR THE PURCHASE OF A FIRE APPARATUS – Councilmember Stewart made a motion to adopt Ordinance No. 2015-25. Councilmember Odic seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Abstain
Council Member - Connie Odic: Approve
Council Member - Nathan Moore: Absent

12. CONSIDER GRANTING PERMISSION TO ZAYO GROUP TO INSTALL FIBEROPTIC CABLE UNDERGROUND – Councilmember Stewart made a motion to grant permission to Zayo Group on the condition they provide engineering drawings before they start to dig and provide as-builts upon completion of the project. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Approve
Council Member - Nathan Moore: Absent

13. CONSIDER DESIGN OF CORNERSTONE FOR NEW CITY HALL – Councilmember Perkins made a motion to have two of the 24" x 24" gray stones with the 2015 and 2016 councils listed and Grand Lodge at the bottom to be set at a location to be determined. Councilmember Odic seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Approve
Council Member - Nathan Moore: Absent

14. CONSIDER REVISIONS TO CURRENT CODE ENFORCEMENT PROCEDURES – It was the consensus of Council to allow Code Enforcement to work on complaints as well as those violations they saw on their own. Written complaints would be the first priority.

15. SET DATE FOR FIRST MONDAY WORKSHOP – It was decided to hold the First Monday workshop on December 8, 2015.

16. CONSIDER DESIGN, CONSTRUCTION AND FINANCING OF PROJECTS

INCLUDING, BUT NOT LIMITED TO, STREETS AND UTILITIES, IMPROVEMENTS TO FIRST MONDAY GROUNDS, CONSTRUCTION OF NEW CELL TOWER, RELOCATION OF ANTENNAS FROM HISTORIC WATER TOWER, REPAINTING OF HISTORIC WATER TOWER, AND NEW CITY HALL – Councilmember Stewart made a motion to install a voting lights system in the Council Chambers in the Council Chambers of the new city hall. Councilmember Perkins seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Approve
Council Member - Nathan Moore: Absent

Mayor Everett called a recess at 7:20 p.m.

17. CITY MANAGEMENT REPORTS

- A. FIRST MONDAY – Mr. Cluck reported First Monday revenue was down for the month because of the weather.
- B. CITY HALL RENOVATION – Mr. Cluck said the painting was completed and they were starting to put in the lights. There was an issue with leveling the floors. It would probably be January before Council could meet there again.
- C. MILL CREEK TRAIL – Mr. Cluck said it had been too wet to work on the trail. They should be able to start when the weather allowed.
- D. CHERRY CREEK TRAIL – The rough drawings were started. They would be brought to Council for approval.
- E. FINANCIAL – Ms. Kroha reported First Monday Revenue was down. She said she would like to pursue moving the City's investment to TexPool Prime because she thought it would bring a better interest rate.
- F. OTHER ITEMS

EXECUTIVE SESSION

In accordance with the authority contained in Sections 551.071 and 551.074 of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, Council will convene in closed or executive session to discuss the following matters.

- 18. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING LITIGATION (Section 551.071) – Council convened into Executive Session at 7:20 p.m.
- 19. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING POTENTIAL LITIGATION, OR OTHER MATTERS WHICH MAY BE PRIVILEGED UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS, REGARDING REBUILDING OF STRUCTURES AND INFRASTRUCTURE FOLLOWING THE FIRE ON THE MOUNTAIN PROPERTY AND THE APPLICABILITY OF CITY CODE REQUIREMENTS TO THAT PROPERTY
- 20. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING PERSONNEL MATTERS – CITY MANAGER'S EMPLOYMENT AGREEMENT WITH LONNY CLUCK (Section

551.074)

RETURN TO OPEN SESSION

21. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION – Council reconvened into Open Session at 9:03 p.m. Councilmember Stewart made a motion to extend the contract with Lonny Cluck as city manager for an additional three years beginning December 1, 2015, using the same language as the existing contract but changing the dates and updating the salary to his current salary. Councilmember Malouf seconded.

Mayor Pro Tem - Shawn Stewart: Approve
Council Member - Scott Perkins: Approve
Council Member - Cindy Malouf: Approve
Council Member - Connie Odic: Approve
Council Member - Nathan Moore: Absent

22. ITEMS FOR FUTURE AGENDAS - None
23. ADJOURN - There being no further business to discuss, the meeting was adjourned at 9:07 p.m.